

MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES, AND PARKS
MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES, AND PARKS

Title 40: Wildlife, Fisheries, and Parks

Part 3: Fisheries

Part 3, Chapter 3: Regulations regarding commercial fishing.

RULE 3.5 PROCEDURES FOR OBTAINING PADDLEFISH PERMITS FOR THE COMMERCIAL HARVEST OF PADDLEFISH AND PADDLEFISH EGGS; AND REPORTING REQUIREMENTS FOR PADDLEFISH HARVEST.

A. This rule outlines the requirements and procedures for obtaining permits required for the commercial harvest of Paddlefish (spoonbill catfish) and possession of any Paddlefish or Paddlefish eggs and the reporting of these activities.

B. This rule also outlines the requirements and procedures for obtaining the permits to acquire Paddlefish for processing and distribution.

C. Definitions:

1. Paddlefish Harvester – Mississippi resident as set forth in MISS. CODE ANN. §49-7-9, and incorporating the provisions of §49-7-3(2), who possesses a valid Paddlefish Harvester Permit that allows such person to fish for, attempt to take, possess, and transport Paddlefish to a Paddlefish Processor for documentation of harvest, after which the sale and processing including the removal of eggs may take place.

2. Paddlefish Helper – Mississippi resident as set forth in MISS. CODE ANN. §49-7-9, and incorporating the provisions of §49-7-3(2), who possesses a valid Paddlefish Helper Permit who assists a person with a Paddlefish Harvester Permit with the fishing for, attempting to take, and taking of Paddlefish. A Paddlefish Harvester permit can substitute for a Paddlefish Helper permit when assisting a Paddlefish Harvester.

3. Paddlefish Processor – Persons who possess a valid Paddlefish Processor Permit which allows them to purchase, attempt to purchase, barter for, process, sell, ship, import, and export Paddlefish, Bowfin, Paddlefish eggs or Bowfin eggs. The Paddlefish Processor shall document the Paddlefish harvest of the Paddlefish Harvester from whom he/she receives, acquires, and or purchases Paddlefish.

4. Paddlefish Processing Agent – Persons who possess a valid Paddlefish Processor Agent Permit to assist a Paddlefish Processor. The Paddlefish Processing Agent can document the Paddlefish harvest of Paddlefish Harvesters from whom the Paddlefish Processing Agent receives Paddlefish for transport to a processing facility

5. Paddlefish Egg Harvest Season – September 1st through April 30th of each calendar year when paddlefish have eggs suitable for producing caviar. Paddlefish harvest for eggs is only legal on Paddlefish Harvest Management Units as specified in 40 MISSISSIPPI ADMINISTRATIVE CODE, Part 3, Rule 3.4.

6. Paddlefish Summer Harvest Season – May 1st through August 31st of each calendar year.

D. Permits and Tag Fees.

1. An individual can purchase more than one type of Mississippi Paddlefish permit. Only Mississippi Paddlefish Harvesters can purchase MDWFP Paddlefish tags.

2. The permits required to participate in the Paddlefish egg harvest season, as per the definitions presented and harvest rules delineated in 40 Miss. Admin. Code, Part 3, Rule 3.2 are listed below with the permit fees. A valid Freshwater Commercial Fishing License is needed to purchase the permits.

Paddlefish/Roe Permits and Tags	Cost*
Paddlefish Harvester Permit	\$1,000
Paddlefish Helper Permit	\$200
Paddlefish tags (for each paddlefish harvested)	\$3 per bundle of 20 tags
Resident Paddlefish Processor Permit	\$1,000
Non-resident Paddlefish Processor Permit	\$2,000
Paddlefish Processing Agent Permit	\$200

*Prices listed do not include processing or agent fees.

3. During the Paddlefish Summer Harvest Season a Freshwater Commercial Fishing License and Paddlefish summer harvest tags are needed to possess Paddlefish per rules in 40 MISS. ADMIN. CODE, Part 3, Rule 3.2.

E. Application for Permits.

1. Applicants must be at least 16 years of age, domiciled in Mississippi, and possess a valid Mississippi Resident Freshwater Commercial Fishing License to apply for a Paddlefish Harvester Permit or a Paddlefish Helper Permit. Applicants for a Mississippi Paddlefish Processor permit must be at least 16 years of age and possess a valid Mississippi Resident or Non-resident Freshwater Commercial Fishing License.

2. Applications for Paddlefish Harvester Permits will be accepted from October 1 to October 15 for the upcoming Paddlefish Egg Harvest Season. Only applications received during this period will be eligible.

3. Applications for any Paddlefish permit must be submitted electronically through the MDWFP website at www.mdwfp.com (not through license system as in past).

4. The MDWFP reserves the right to limit the number of Mississippi Paddlefish Harvester Permits to 16 people. When requests exceed available permits, selection of applicants will be by random drawing.

5. Selected applicants must validate their intentions by notifying the MDWFP by November 1 that they intend to purchase a Paddlefish Harvester Permit.

6. Persons failing to validate by November 1 will be replaced with substitute applicants.

7. Validation instructions will be included in the notification sent to all selected applicants.

8. Those applicants that intend to purchase a Paddlefish Harvester Permit and/or a Paddlefish Processor Permit must attend a mandatory meeting to be held at the North Mississippi Fish Hatchery in Enid Mississippi on a date specified in the mailing notification. Failure to attend the mandatory meeting will render a person ineligible to purchase those Paddlefish permits.

9. Applications for Paddlefish Helper Permits, Paddlefish Processor Permits, and Paddlefish Processing Agent Permits will be accepted online from October 1 until April 10, or by calling the MDWFP Fisheries Office in Jackson, Mississippi, 601-432-2200.

10. The Mississippi Department of Wildlife, Fisheries, and Parks has the right to issue the number of Mississippi Paddlefish Harvester and Mississippi Paddlefish Processor Permits as it deems necessary and advantageous for the state.

11. All applicants will be notified by mail whether or not they are approved to purchase Mississippi Paddlefish permits.

12. The purchase of any Paddlefish permit is contingent on the condition that permit applicants have not been convicted, within the last three (3) years, of any violations of any state or federal fish and wildlife laws or regulations pertaining to the management of Paddlefish nor have a fish/wildlife violation equivalent to a Class 1 Mississippi violation.

13. Mississippi Paddlefish Harvester Permits and Mississippi Paddlefish Helper Permits will expire April 10, 2017. Mississippi Paddlefish Processor and Paddlefish Processing Agent Permits expire on October 30, 2017.

F. Paddlefish Processor Selection Process. The MDWFP may grant a statewide Mississippi Paddlefish Egg Processor(s) concession for the paddlefish egg harvest season. If so, the selection process will be a competitive process of soliciting and evaluating proposals from qualified applicants.

G. Mississippi Paddlefish Processor Requirements

1. Person(s) selected to be a Paddlefish Processor must purchase a Paddlefish Processor Permit.
2. The Paddlefish Processor agrees to comply with all state and federal laws, rules and regulations regarding the harvest and processing of Paddlefish.
3. All Paddlefish flesh and Paddlefish eggs harvested in Mississippi by Paddlefish Harvesters will be processed (and Paddlefish eggs will be screened) at a Paddlefish processing facility located in the state of Mississippi.
4. The Paddlefish Processor will have an approved HACCP plan, the processing facility will be registered with USFDA and possess any required federal and state health regulation permit(s) prior to the opening of their Paddlefish processing facility. The Paddlefish processing facility can be a mobile unit. Copies of federal and state health regulation permits must be provided to the MDWFP prior to the purchase of Paddlefish Processor permits.
5. The Paddlefish Processor must inform the MDWFP of the physical location of their Paddlefish processing facility prior to any processing of Paddlefish. The notification must be made to the MDWFP Fisheries Bureau between 8am-5pm, Monday-Friday. This reporting requirement is in addition to any HACCP processing facility reporting requirements. The MDWFP must be notified each time the paddlefish processing facility is moved to a different location.
6. Any violation of these laws, rules and regulations may result in termination by the MDWFP of the right to be a Paddlefish Processor.
7. The Paddlefish Processor agrees to allow employees of the MDWFP, at any time, to inspect their Paddlefish processing facility and to review Paddlefish transaction records. The inspection can involve the recording of biological information on any Paddlefish received at the processing facility

H. Reporting Requirements for Harvest

1. The harvest of a Paddlefish shall be documented on a Paddlefish Transaction Form.
 - a. Stage 1: The following information must be recorded prior to transporting the fish on land to the Paddlefish Processor: The harvester's printed name, Paddlefish tag number(s), number of nets used, date of harvest, and capture location. The Paddlefish Harvester will sign the Paddlefish Transaction Form.
 - b. Stage 2: Upon exchange with the Paddlefish Processor, or a Paddlefish Processing Agent, a Paddlefish Transaction Form will have the following recorded: Paddlefish harvester's name, Paddlefish tag number(s), Paddlefish eye to fork length(s) in inches, raw egg

weight, number of nets used, date of harvest, capture location, and time of exchange. Both the Paddlefish Harvester and the Paddlefish Processor, or Paddlefish Processing Agent, will sign the Paddlefish Transaction Form. If the exchange is done in the field, the raw egg weight will be added immediately after the removal of eggs at the processing facility.

c. Stage 3: After the final screening of Paddlefish eggs, the screened egg weight will be recorded on the Paddlefish Transaction Form along with the distribution destination for flesh and eggs.

2. Any distribution or export of Paddlefish, Paddlefish parts, Paddlefish eggs, Paddlefish caviar, or Bowfin eggs, or Bowfin caviar must be accompanied by a Paddlefish Transaction Form that contains the signature of the Paddlefish Processor.

3. The Paddlefish Harvester and Paddlefish Processor shall retain a copy of each Paddlefish Transaction Form, and the Paddlefish Harvester shall submit the original, either Stage 2 or Stage 3, to the MDWFP on a monthly basis by the 15th of each month following the month of harvest. If no Paddlefish were harvested or handled in a month, a Paddlefish Transaction Form shall be submitted indicating such. Paddlefish Transaction Forms for the month of April will be submitted by April 25.

4. The Paddlefish Processor shall, within 24 hours of a receipt of a Paddlefish(s), submit an electronic copy of the Stage 3 of the Paddlefish Transaction Form by internet, email, or fax to the designated person in the MDWFP Jackson Office. If no Paddlefish were harvested or handled in a month, a Paddlefish Transaction Form shall still be submitted indicating such.

5. The sale of Bowfin eggs shall also be documented on a Paddlefish Transaction Form, on a separate form from any documentation of Paddlefish, with "Paddlefish" in the form title crossed out and "Bowfin" written in its place. Total length shall be recorded in place of eye to tail fork length.

6. During the Summer Paddlefish Harvest Season, the harvest of Paddlefish shall be recorded on forms supplied by MDWFP. These forms are to be submitted to MDWFP no later than September 15th.

7. The Paddlefish Processor shall submit Paddlefish Transaction Forms to MDWFP each month listing the pounds of eggs processed and distribution of products.

a. The Monthly Processor Form and Paddlefish Transaction Forms will be submitted by the Paddlefish Processor by the 15th of the month following the month of harvest.

History: Revised August 2016.

Source: MISS. CODE ANN. §§49-1-29, 49-4-4, and 49-7-90.